

HOUSE BILL NO. 2044

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

5513H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 300.411 and 304.678, RSMo, and to enact in lieu thereof two new sections relating to the distance to be maintained when overtaking a bicycle, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 300.411 and 304.678, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 300.411 and 304.678, to read as follows:

300.411. The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on the roadway, as defined in section 300.010, **or on the shoulder of the roadway**, shall leave a safe distance, **but in no case less than three feet clearance**, when passing the bicycle, and shall maintain clearance until safely past the overtaken bicycle.

304.678. 1. The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on the roadway, as defined in section 300.010, **or on the shoulder of the roadway**, shall leave a safe distance, **but in no case less than three feet clearance**, when passing the bicycle, and shall maintain clearance until safely past the overtaken bicycle.

2. Any person who violates the provisions of this section is guilty of an infraction unless [an accident is involved in which case it shall be a class C misdemeanor] :

(1) **The person intentionally violates the provisions of this section; or**

(2) **An accident is involved.**

In such cases, the person who violated the provisions of this section is guilty of a class C misdemeanor.

✓

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.